



## INTERIOR BOARD OF INDIAN APPEALS

Oneok Gas Storage, L.L.C. v. Acting Eastern Oklahoma Regional Director,  
Bureau of Indian Affairs

37 IBIA 3 (10/03/2001)



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

ONEOK GAS STORAGE, L.L.C.,	: Order Dismissing Appeal
Appellant	:
	:
v.	:
	: Docket No. IBIA 01-124-A
ACTING EASTERN OKLAHOMA	:
REGIONAL DIRECTOR, BUREAU	:
OF INDIAN AFFAIRS,	:
Appellee	: October 3, 2001

This is an appeal from an April 16, 2001, decision of the Acting Eastern Oklahoma Regional Director, Bureau of Indian Affairs, concerning the termination of Osage Gas Mining and Gas Storage Lease Contract No. 14-20-0406-1449 by the Acting Superintendent, Osage Agency. The Regional Director did not address the merits of Appellant's appeal to him. Instead, he remanded the matter to the Superintendent, directing that a hearing be conducted as required by the lease.

Upon receipt of Appellant's notice of appeal, the Board ordered Appellant to show why the appeal should not be dismissed without prejudice in order to allow the hearing to proceed. Before Appellant responded, the Regional Director advised the Board that Appellant and the Osage Tribal Council were engaged in settlement discussions and expected to reach settlement shortly. The Board stayed proceedings to allow discussions to proceed.

On September 25, 2001, the Regional Director advised the Board that settlement had not been reached and that the Superintendent wished to proceed with a hearing.

It clearly appears that this matter will proceed most efficiently if the Superintendent has full jurisdiction over it. Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is dismissed without prejudice. Appellant and the Osage Tribal Council may, of course, continue to discuss settlement and should report their progress to the Superintendent.

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Anita Vogt  
Administrative Judge

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Kathryn A. Lynn  
Chief Administrative Judge